
HOUSE BILL No. 1531

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-1-9.

Synopsis: Convicted felon DNA database. Requires a person convicted of a felony to provide a DNA sample and requires that the state police transmit a copy of the felon's DNA record to the federal DNA database.

Effective: July 1, 2003.

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January 16, 2003, read first time and referred to Committee on Human Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1531

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-1-9-10, AS AMENDED BY P.L.60-2001,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 10. (a) This section applies to a person described
4 in subsection (b) or (c).

5 (b) This section applies to a person convicted of a felony under
6 ~~IC 35-42 (offenses against the person); IC 35-43-2-1 (burglary); or~~
7 ~~IC 35-42-4-6 (child solicitation); IC 35-50-2:~~

8 (1) after ~~June 30, 1996~~, **June 30, 2003**, whether or not the person
9 is sentenced to a term of imprisonment; and

10 (2) before ~~July 1, 1996~~, **July 1, 2003**, if the person is held in jail
11 or prison on or after ~~July 1, 1996~~. **July 1, 2003.**

12 (c) This section applies to a person convicted of a criminal law in
13 effect before October 1, 1977, that penalized an act substantially
14 similar to a felony described in ~~IC 35-42 or IC 35-43-2-1~~ **IC 35-50-2**
15 or that would have been an included offense of a felony described in
16 ~~IC 35-42 or IC 35-43-2-1~~, **IC 35-50-2** if the felony had been in effect:



(1) after ~~June 30, 1998~~, **June 30, 2003**, whether or not the person is sentenced to a term of imprisonment; and

(2) before ~~July 1, 1998~~, **July 1, 2003**, if the person is held in jail or prison on or after ~~July 1, 1998~~: **July 1, 2003**.

(d) A person described in subsection (b) or (c) shall provide a DNA sample to the:

(1) department of correction or the designee of the department of correction, if the offender is committed to the department of correction; or

(2) the county sheriff or the designee of the county sheriff, if the offender is held in a county jail or other county penal facility, placed in a community corrections program (as defined in IC 35-38-2.6-2), or placed on probation.

A convicted person is not required to submit a blood sample if doing so would present a substantial and an unreasonable risk to the person's health.

SECTION 2. IC 10-1-9-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 14.5. (a) The superintendent shall transmit to the combined DNA index system the DNA record of a person described in section 10 of this chapter.**

(b) The superintendent shall issue specific guidelines related to the timely and efficient transmission of DNA records from the DNA database to the combined DNA index system under this section.

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